

PROB 12B  
(7-93)

Report Date: August 26, 2009

**United States District Court**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

for the

AUG 27 2009

**Eastern District of Washington**

JAMES R. LARSEN, CLERK  
DEPUTY  
YAKIMA, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Candice Herrin

Case Number: 2:09-00001P-001

Name of Sentencing Judicial Officer: The Honorable Cynthia Imbrogno, U.S. Magistrate Judge

Date of Original Sentence: 7/13/2009

Type of Supervision: Probation

Original Offense: Refusal to Submit to Breath Test ,  
36 U.S.C. § 4.23(c)(2)

Date Supervision Commenced: 7/13/2009

Original Sentence: Probation - 12 Months

Date Supervision Expires: 7/12/2010

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

- 19 You shall complete a mental health evaluation and follow any treatment recommendations. You shall allow reciprocal release of information between the supervising probation officer and treatment provider. You shall contribute to the cost of treatment according to your ability.

**CAUSE**


Recent contact with the offender and substance abuse counselor suggests that the above-mentioned modification is appropriate. Candice Herrin commenced a 1-year term of probation on July 13, 2009. Her probation term is due to expire on March 12, 2010. In an attempt to provide federal funding, if necessary, it is requested that the Court modify conditions of supervision to include the aforementioned condition.

Candice Herrin was asked whether she would waive her right to a hearing and agree to the modification as previously described. As indicated by the enclosed waiver of hearing to modify conditions of supervised release form, Ms. Herrin has agreed to the proposed modification.

It is respectfully recommended that the attached waiver of hearing to modify conditions of probation be adopted requiring Ms. Herrin to participate in mental health treatment at the direction of the probation office.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 8-26-09

  
Tommy Rosser  
U.S. Probation Officer

Prob 12B

Re: Herrin, Candice

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THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

James P. Hutton  
U.S. Magistrate Judge  
Signature of Judicial Officer

8/27/2009  
Date

6-PROB 49  
(3/89)

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JAMES R. LARSEN, CLERK  
DEPUTY  
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# United States District Court

Eastern District of Washington

## Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

- 19 You shall complete a mental health evaluation and follow any treatment recommendations. You shall allow reciprocal release of information between the supervising probation officer and treatment provider. You shall contribute to the cost of treatment according to your ability.

Witness:

Tommy Rosser  
Tommy Rosser  
U.S. Probation Officer

Signed:

Candice Herrin  
Candice Herrin  
Probationer or Supervised Releasee

8/26/09

Date